

### **REMARKS**

These amendments and remarks are in response to the Final Office Action dated May 24, 2010. This amendment is filed with a one month extension of time, and is accompanied by a Request for Continued Examination.

At the time of the Office Action, claims 1-29 were pending in the application. In the Office Action, claims 1-21, 25 and 29 were rejected under 35 U.S.C. §103(a). The rejections are discussed in more detail below.

#### **I. Rejections of the claims based on cited art**

Claims 1-7, 9, 11-15 and 17-21 were rejected under 35 U.S.C. §103(a) as being anticipated by U.S. Patent No. 4,721,388 to Takagi et al. ("*Takagi*") in view of U.S. Patent No. 6,954,557 to Kim et al. ("*Kim*") and German Patent No. 3836540 to Lichtenberg ("*Lichtenberg*"). Claims 25 and 29 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Takagi* and *Kim* in view of U.S. Patent No. 5,793,492 to Vanaki. Claims 8 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Takagi* and *Kim* in view of U.S. Patent Publication No. 2006/0158663 to Martinschledde et al. Claim 10 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Takagi* and *Kim* in view of U.S. Patent Publication No. 2003/0038948 to Prinzhausen et al.

Applicant thanks the Examiner for the helpful telephone interview on this application. As discussed, Applicant believes that the use of three or more prior art references in combination points to inventiveness. Applicant has amended the claims herein, to change the term "measuring object" to "vehicle wheel" and to recite the contour data as comprising surface contour data and/or wall thickness data. Support for the amendments can be found throughout the specification, and particularly in paragraphs [0005], [0027]-[0031], and [0044] and in Fig. 4.

*Takagi* and *Kim* have been discussed in responses filed to previous Office Actions. Applicant believes that *Takagi* and *Kim* are not relevant to the amended claims, as they do not relate to vehicle wheels. Additionally, there is no reference structure, and no establishment or comparison of an object coordinate system and a measurement coordinate system.

*Lichtenberg* rotates the wheel, not the sensor as recited in the present claims. Advantages of rotating the sensor around the wheel are given in the present application, for example in

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paragraph [0009] of the specification. In contrast, placing a wheel into a device such as that taught by *Lichtenberg* requires that the wheel is clean, balanced, and located on a turntable properly which is difficult to do in a wheel production factory that is producing a large number of automotive wheels. There are great efficiency savings in the amount of time it takes to measure a wheel using the device and method of the present claims because it does not need to be precisely placed and balanced. Additionally, there are advantages in that the mechanical rotation of the wheel does not affect the sensor measurement. Thus, rotating the sensor as opposed to the wheel is not merely an obvious design variant. In order to clarify that the advantages discussed in paragraph [0009] apply to the presently claimed system, Applicant has amended the claims herein to refer to a "vehicle wheel" in place of a "measurement object."

For at least the foregoing reasons, claims 1 and 11 are patentable over the cited prior art. The dependent claims are also believed to be allowable because of their dependence upon an allowable base claim, and because of the further features recited

## II. Conclusion

Applicant has made every effort to present claims which distinguish over the prior art, and it is thus believed that all claims are in condition for allowance. Nevertheless, Applicant invites the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. In view of the foregoing remarks, Applicant respectfully requests reconsideration and prompt allowance of the pending claims.

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Respectfully submitted,



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